

**AFFIDAVIT IN SUPPORT of an APPLICATION FOR A
CRIMINAL COMPLAINT and ARREST WARRANT**

I, Benjamin Paris, being duly sworn under oath and deposed, state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Philadelphia, Pennsylvania Division. I have been employed with the FBI since July 31, 2011. I am currently assigned to the Violent Crimes Task Force and have been since November 2018. My current duties include, among other things, the investigation of bank robberies, fugitives, kidnappings, and Hobbs Act robberies. Prior to my duties as a Special Agent with the FBI, I was a Police Officer in the state of Delaware from February 2007 until June 2011.

2. The facts set forth in this affidavit are based on my personal knowledge, the knowledge obtained during my participation in this investigation, the knowledge obtained from other individuals, including other law enforcement personnel, review of documents and records related to this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

3. Based on the facts set forth in this affidavit, there is probable cause to believe that TREYVON JOHNSON ("JOHNSON") has committed violations of 18 U.S.C. §§ 1951 and 2 (Hobbs Act robbery and aiding and abetting) and 924(c) and 2 (aiding and abetting the carrying and use of a firearm during and in relation to a crime of violence).

PROBABLE CAUSE

4. On January 26, 2022, at 7:15 p.m., Rockledge Police Department responded to a robbery at the Smokey Tokey Tobacco Outlet at 304 Huntingdon Pike, in Rockledge Pennsylvania. Upon arrival police were met with the victim, who stated that two black males

wearing masks entered the store armed with handguns. The males ordered her to open the safe and she complied. The males took Sweet Woods cigars, approximately \$2860, and multiple individual packs of Newport cigarettes. The males then fled on foot in an unknown direction. Rockledge Police officers recovered video surveillance of this robbery. The victim stated that she had seen one of the males in the store multiple times before the robbery and knew what he looked like but did not know his name.

5. Video surveillance from January 26, 2022, shows the first male is a black male wearing a black balaclava mask, a grey jacket with a blue hooded sweatshirt with the hood up, black jeans with holes in the knees, dark blue New Balance sneakers, multi-colored underwear, blue rubber gloves, and armed with a handgun. The second male is a black male wearing a black mask, an olive-green hooded jacket, black pants with multiple zippers on the legs, tan boots, blue rubber gloves, and armed with a handgun. The males came from and were last seen crossing Huntingdon Pike in a northbound direction.

6. On February 17, 2022, at 11:29 p.m., two black males entered the Sunoco A-Plus gas station located at 812 Huntingdon Pike, Rockledge Pennsylvania armed with handguns. Both males demanded money from the victim employee, S.A., while the robber in the blue hooded sweatshirt pointed a black handgun. The male in the green jacket removed a banana from the counter and placed it into the door to prevent it from closing. A customer, S.B., was in the store during the robbery. The robbers ordered S.B. to empty her purse and took \$20 from her. The two males stole \$281 from the store's main cash register, \$51 from the lottery register, Top Dollar Crossword Scratch Off Lottery Tickets, High Voltage Bingo Scratch Off Lottery Tickets and All About Benjamin Scratch Off Lottery Tickets. Rockledge Police Department recovered video surveillance from this robbery.

7. Video surveillance from February 17, 2022, shows two black males entering the store. The first male is wearing a black balaclava head mask, a dark blue hooded sweatshirt with the hood pulled up, black pants, black sneakers, white socks, blue rubber gloves and is armed with a black handgun. The second male is wearing a black balaclava mask, a green jacket with green hood up and a distinct buckle on the back of the hood, black shirt, black pants with white zippers on the legs, tan boots, red underwear, blue rubber gloves. Surveillance video also shows that they arrive and park on North Penn Street in a silver 4 door newer model vehicle before the robbery and leave in that vehicle. Serial numbers from the lottery tickets were reported to the Pennsylvania State Lottery Commission as stolen.

8. On February 18, 2022, at approximately 9:44 p.m., Philadelphia Police Department (“PPD”) officers responded to a robbery in progress at the Rite Aid store located at 7972 Castor Avenue in Philadelphia. Upon arrival, the officers met several witnesses. The witnesses stated the offenders entered the store, pointed guns at them and took them into the manager’s office. The offenders then stole approximately \$5,000 from three unlocked safes in the manager’s office and one cash register at the front of the store. The offenders fled the store in an unknown direction. PPD officers recovered video from the Rite Aid. Based on video comparison to video from the Sunoco, the offenders appear to be the same individuals who robbed the Sunoco A-Plus.

9. On February 21, 2022, FBI Task Force Officers went to the area of Ripley and Castor Avenues and recovered multiple surveillance videos along the route of the arrival and escape of the suspects from the February 18 robbery of Rite Aid. The videos show a four-door silver vehicle arriving on Ripley Street before the robbery and after the robbery traveling the wrong way on Ripley, westbound at a high rate of speed.

10. On February 22, 2022, the FBI contacted the PA State Lottery Commission and provided the lottery serial numbers to see if any of the stolen tickets had been redeemed. The Lottery Commission revealed that attempts were made to cash out stolen tickets at the Wave 2 station at the Sunoco A-Plus at 5801 Roosevelt Boulevard, in Philadelphia. FBI Task Force Officers went to this location and recovered video of a 2021 silver Hyundai Elantra with Ohio tag HOY3135 arriving at 1:05 p.m. The video shows a black male wearing a blue baseball hat with white square emblem, a hair style with multiple twists, and a white hooded sweatshirt with blue and purple tie-dye and happy face emblems on the sleeves. The male exits and enters the Hyundai multiple times and retrieves a baby from the vehicle and hands the child to the front passenger, who cannot be seen. At 1:19 p.m., the male puts on a black balaclava mask, enters the store and goes to the Wave 2 machine. He attempts to cash out three tickets and is told to contact the Lottery Commission. This male leaves the store and enters the Hyundai. He throws multiple lottery tickets out the car window, including Top Dollar Crossword scratch offs.

11. The Ohio tag information from the Hyundai revealed that the vehicle is owned by Enterprise Rental Cars. Enterprise's Law Enforcement hotline reported that the vehicle was rented by an individual identified herein as "Z.R." Further investigation determined that Z. R. Reese has an apartment on the 1700 block of Rhawn Street, which is approximately two city blocks away from the Rite Aid Pharmacy at 7972 Castor Avenue, and on the road that leads to the Rockledge robberies. Detectives went to the apartment on Rhawn Street, and saw the 2021 silver Hyundai Elantra, Ohio tag HOY-3135. Detectives observed a black male exit the vehicle and enter the apartment building. Detectives then observed the same male exit the apartment and enter the Hyundai and drive away. Detectives followed the male as he drove the Hyundai Elantra to an apartment located on the 1000 block of Afton Street, where he remained parked for

five minutes in the rear parking lot. The male then left this location and detectives followed him to the area of Oxford Avenue and Levick Street, where they lost sight of the vehicle.

12. PPD records for traffic stops revealed that Darryl GATES had been stopped driving a vehicle registered to the address Z.R. used to rent the Hyundai, located on the 1400 block of Saint Vincent Street. Detectives reviewed a photo of Darryl GATES and recognized him as the male attempting to cash the lottery tickets and possibly one of the suspects in the robberies. Detectives also found a traffic stop on November 9, 2021, where Treyvon JOHNSON was driving a 2003 Honda Civic, registered to Z.R. at the same address as stated above on Saint Vincent Street. Detectives performed records checks on JOHNSON and discovered that he was living at an apartment located on the 1000 block of Afton Street, in Philadelphia, Pennsylvania. Detectives viewed JOHNSON's photo, and his height and weight are consistent with the second robbery suspect.

13. On February 25, 2022, a Special Agent of the FBI/Major Crimes Violent Crimes Task Force showed a photospread containing a photo of Treyvon JOHNSON to the victim from the Smokey Tokey Tobacco Outlet robbery. She identified Treyvon JOHNSON as a male she knew from high school that had been in the store in the past. She could not, however, identify him as the second male who robbed the Smokey Tokey Tobacco Outlet. She later stated to detectives that she had previously seen JOHNSON with the male that she identified in the photospread she viewed on February 23, 2022 (Darryl GATES).

14. On February 24, 2022, after a search warrant of his residence during which evidence from these robberies was recovered, Darryl GATES was charged via criminal complaint in this district with violations of 18 U.S.C. §§ 1951 (Hobbs Act Robbery) and 924(c)

(carrying and using a firearm in relation to a crime of violence). Recovered from GATES' home was a firearm matching the description of the firearm used in the aforementioned robberies.

15. On April 5, 2022, at 7:42 p.m., a robbery occurred at the Rite Aid Pharmacy located at 7418 Oxford Avenue, Philadelphia, Pennsylvania. During the robbery a black male, later identified as JOHNSON, took \$352 cash from two cash registers, and simulated having a firearm during the robbery. Included with the cash taken by JOHNSON was a tracking device used by Rite Aid pharmacy. The device led PPD officers to JOHNSON while he (JOHNSON) was looking in a trash dumpster. The officers saw Rite Aid's tracking device in the dumpster and heard it making a "beeping" noise. The officers then brought store employees to the location where JOHNSON was located and detained, and they positively identified JOHNSON as the robber. Officers recovered the tracking device and a mask worn by JOHNSON from the dumpster, as well as \$27 cash and his sneakers.

16. During a recorded post-*Miranda* interview conducted by FBI Task Force Officers, JOHNSON admitted to committing the other robberies summarized in this affidavit, as well as additional robberies. He admitted committing these robberies with another man.

17. The Smokey Tokey Tobacco Outlet at 304 Huntingdon Pike, in Rockledge Pennsylvania; the Sunoco A-Plus gas station located at 812 Huntingdon Pike, Rockledge Pennsylvania; the Rite Aid located at 7972 Castor Avenue in Philadelphia Pennsylvania and the Rite Aid Pharmacy located at 7418 Oxford Avenue in Philadelphia Pennsylvania, were at the times of these robberies retail businesses engaged in and affecting interstate commerce by providing products to customers, some of which were produced, purchased, and transported from states outside Pennsylvania.

CONCLUSION

18. Based on the above, I submit that probable cause exists for the arrest of TREYVON JOHNSON for violations of the 18 U.S.C. §§ 1951 and 2 (Hobbs Act robbery and aiding and abetting) and 924(c) and 2 (aiding and abetting the carrying and use of a firearm during and in relation to a crime of violence).

Respectfully submitted,

/s Benjamin Paris
Benjamin Paris
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to
before me on 7th April, 2022

/s Carol Sandra Moore Wells
HONORABLE CAROL SANDRA MOORE WELLS
UNITED STATES MAGISTRATE JUDGE